

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERENCE ALVIN JOHNSON,

Petitioner,

No. 09-CV-10395-DT

vs.

Hon. Gerald E. Rosen

JEFFREY WOODS,

Respondent.

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION AND
DISMISSING PETITIONER'S HABEAS CORPUS ACTION

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 24, 2012

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

This matter having come before the Court on the December 14, 2011 Report and Recommendation of United States Magistrate Judge Paul J. Komives recommending that the Court deny Petitioner's petition for a writ of habeas corpus and that this case, accordingly, be dismissed; and Petitioner having timely filed Objections; and the Court having reviewed the Magistrate Judge's Report and Recommendation, Petitioner's Objections, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Petitioner's petition for habeas corpus relief should be denied; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's

Report and Recommendation of August 4, 2010 [**Dkt. # 31**] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Petitioner's petition and amended petition for habeas corpus relief **Dkt. Nos. 1 and 15**] be, and hereby are DENIED.

IT IS FURTHER ORDERED that Petitioner's Motion for Investigative Assistance [**Dkt. # 20**] is DENIED.

IT IS FURTHER ORDERED that this case be, and hereby is, DISMISSED.

IT IS FURTHER ORDERED that, for the reasons stated in the Report and Recommendation, the Court concludes that Petitioner has not made a substantial showing of the denial of a constitutional right. Accordingly, the Court declines to issue a certificate of appealability or grant leave to proceed on appeal *in forma pauperis*. See Fed. R. App. Pro. 24(a).

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: January 24, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 24, 2012, by electronic mail and upon Terence Johnson, #464914, Chippewa Correctional Facility, 4269 W. M-80, Kincheloe, MI 49784 by ordinary mail.

s/Ruth A. Gunther
Case Manager